

CR 5:08-589  
Feb. 5, 2009.

Honorable Judge Margaret Seymour:

Please pardon the interruption of your daily agenda, however, it is of the utmost importance that I beg the courts indulgence with this critical matter at hand.

First and foremost, allow me to properly introduce myself. My name is Avery Jessell Haigler, Criminal Docket Number 5:08-cr-00589 MBS-1, USA vs. Haigler et al. I am currently in custody at Alvin S. Glenn Retention Center in Columbia SC. My inmate number is 578996 and I am in housing unit F.

The reason for this correspondence is in regards to my ignorance of the Law that governs this land, and an attempt at gaining some clarity on the elements of a speedy trial motion, and the ingredients that constitute the Speedy Trial Act.

My intentions are not to utilize the courts time carelessly, and embarrass myself further by describing my definition of the speedy trial act. I will describe for the Court what has confused me, and delayed my strides to resolve the issues at hand.

Your Honor, these matters took place on one of my previous Court appearances. Please excuse me for not being more specific with the dates, but as I said, I have become a little

disturbed by my attorney's actions for not highlighting these points. Furthermore, I am not afforded the luxury and use of a Law Library here at the detention center. So, I ask the courts forgiveness for my shortcomings.

The appearances aforementioned are the following: Sept. 23, 2008, Sept. 24, 2008; and possibly Sept. 30<sup>th</sup> 2008. With Stating these dates we now approach the heart of the matter. The matter at hand is the lack of preparation on the US attorney's part, and his readiness to proceed with the government's case against me.

During the courts proceeding, you, your Honor addressed the US attorney and asked if he was prepared to move forward. The response the government gave was "yes". However, for some unforeseen reason myself and attorney's involved are still at a standstill.

Also, during proceedings the US attorney, in his own words, expressed to the Court that he didn't reasonably foresee anymore delays in regards to moving forward. Supposedly, there were other individuals due to be apprehended within a weeks time. These new arrest, according to the US Attorney would not produce any new evidence that would affect my case, or bring forth any new charges. In the transcripts Your Honor, he also expressed that "all discovery evidence" would also be released to me and my attorney within a week which would

allow me to be prepared and situated for the next term of court.

As the next term of court approached, which was Nov. 24, 2008, the government asked for, and was granted a continuance due to new arrest of individuals and new substantial discovery forthcoming. The governments motion for a continuance was granted even though the courts transcripts will clearly state the governments response "that all of these needs would be satisfied in regards to the new arrest and substantial discovery forthcoming if it pleases the court, Your Honor all of this was supposed to be dissolved within a week.

This is why I beg the courts indulgence, and Your Honors expertise with some clarity as to how and why this law takes place. According to court transcripts, documents, and the US attorneys own words the discovery in question new evidence and should have been turned over to me and defense for proper preparation enabling me to have a logical, accurate, and precise defense battling the charges lodged against me.

These actions on the governments behalf, I believe is a display of a bad faith tactic to purposely mislead the Courts and disassemble the structure of my defense. Furthermore, on the date of (Nov. 18, 2008) there was an oral order granted to 261 motion to unseal discovery in its entirety. Still, I have been denied my discovery.

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I am aware that the Court granted a (Protective Order to Disclosure Wire Communications) on Dec. 19, 2008, but this Your Honor was a totally different order and has nothing to do with the rest of my discovery being unsealed to me in its entirety. Your Honor, justice will not be able to take its course without the resolution of these discrepancies.

Please forgive me for consuming so much of the courts precious time, but this matter is of the utmost urgency to future endeavor(s) that still exist for my family and the rest of my life.

In closing, I would like to thank the Court, The Honorable Judge Margaret Seymour and all attending staff for accepting this correspondence and your patience with assisting me and my dilemma if you so desire.

Mr. Avery Farrell Haigler #578996 (inmate number)

Criminal case Docket # 5:08-CR-00589-MBS-1.